

COPY

STATE OF ILLINOIS  
IN PROCEEDINGS BEFORE THE  
ILLINOIS COMMERCE COMMISSION

The Burlington Northern and Santa Fe Railway Company,  
Petitioner,

v.

Tamalco Township, Bond County, Illinois; Pleasant Mound Township, Bond County,  
Illinois; Bond County, Illinois; and State of Illinois, Department of Transportation,  
Respondents.

Petition seeking a determination from the Illinois Commerce Commission whether the warning devices at the public grade crossing located at the tracks of The Burlington Northern and Santa Fe Railway Company ("BNSF") and TR 247 (Main Street) in Tamalco Township, Bond County, Illinois, Milepost 102.33, DOT No. 069316E should be upgraded to automatic flashing light signals with gates and constant warning time circuitry; whether the public grade crossing located at the intersection of the tracks of BNSF and Township Road TR 238 in Tamalco Township, Bond County, Illinois; Milepost 102.21, DOT No. 069318T should be closed; and, a connecting road constructed on the east side of the tracks and right-of-way of BNSF between Township Road TR 247 (Main Street) and TR 238, with any such cost be borne by the parties in accordance with law and that a substantial portion of the cost to be borne by the Grade Crossing Protection Fund.

And

Petition seeking a determination from the Illinois Commerce Commission whether the warning devices at the public grade crossing located at the tracks of BNSF and Township Road TR 199 in Tamalco Township, Bond County, Milepost 98.65, DOT No. 069156T should be upgraded to automatic flashing light signals and gates with constant warning time circuitry; the public grade crossing located at the intersection of Township Road TR 232 in Tamalco Township, Bond County, Illinois, Milepost 98.59, DOT No. 069160H should be closed; a connecting road constructed on the east side of the tracks and right-of-way of BNSF connecting Township Road TR 199, Township Road TR 326 (Second Street) and TR 232a; whether the warning devices at the grade crossing located at the intersection of TR 326 (Second Street) and the tracks of BNSF, Milepost 98.31 should be upgraded to automatic flashing light signals and gates; the public at grade crossing at the intersection of Township Road TR 232a and the tracks of BNSF, Milepost 98.23, DOT No. 069158G should be closed; and a connecting road west of BNSF's track and right-of-way extending High Street to the north to Township Road TR 232a, with any such costs to be borne by the parties in accordance with law and that a substantial portion of any such costs be borne by the Grade Crossing Protection Fund.

ENTRY OF APPEARANCE

Now comes DALE F. CHOISSER of the Law Firm of Burnside, Johnston, Choisser & Sheafar, and hereby enters his appearance as the attorney of record for Jeff Tompkins, Pleasant Mound Township Highway Commissioner, in the above entitled proceedings.

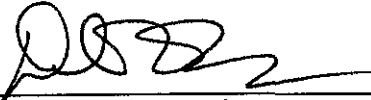
T01-0028

ILLINOIS COMMERCE  
COMMISSION  
SEP 19 2 18 PM '01  
TRANSPORTATION DIV.

DOCKETED

Dated this 19<sup>th</sup> day of September, 2001.

**BURNSIDE, JOHNSTON, CHOISSER & SHEAFOR,  
Attorneys at Law**

By:   
Dale F. Choisser, Attorney at Law

Dale F. Choisser/Att. Reg. #3122797  
BURNSIDE, JOHNSTON, CHOISSER & SHEAFOR  
Attorneys for  
First Nat'l Bank Bldg./P.O. Box 276  
Vandalia, Illinois 62471  
Telephone: 618/283-3260  
Fax: 618/283-2851

COPY

STATE OF ILLINOIS  
IN PROCEEDINGS BEFORE THE  
ILLINOIS COMMERCE COMMISSION

The Burlington Northern and Santa Fe Railway Company,  
Petitioner,

v.

Tamalco Township, Bond County, Illinois; Pleasant Mound Township, Bond County,  
Illinois; Bond County, Illinois; and State of Illinois, Department of Transportation,  
Respondents.

Petition seeking a determination from the Illinois Commerce Commission whether the warning devices at the public grade crossing located at the tracks of The Burlington Northern and Santa Fe Railway Company ("BNSF") and TR 247 (Main Street) in Tamalco Township, Bond County, Illinois, Milepost 102.33, DOT No. 069316E should be upgraded to automatic flashing light signals with gates and constant warning time circuitry; whether the public grade crossing located at the intersection of the tracks of BNSF and Township Road TR 238 in Tamalco Township, Bond County, Illinois, Milepost 102.21, DOT No. 069318T should be closed; and, a connecting road constructed on the east side of the tracks and right-of-way of BNSF between Township Road TR 247 (Main Street) and TR 238, with any such cost be borne by the parties in accordance with law and that a substantial portion of the cost to be borne by the Grade Crossing Protection Fund.

T01-0028

And

Petition seeking a determination from the Illinois Commerce Commission whether the warning devices at the public grade crossing located at the tracks of BNSF and Township Road TR 199 in Tamalco Township, Bond County, Milepost 98.65, DOT No. 069156T should be upgraded to automatic flashing light signals and gates with constant warning time circuitry; the public grade crossing located at the intersection of Township Road TR 232 in Tamalco Township, Bond County, Illinois, Milepost 98.59, DOT No. 069160H should be closed; a connecting road constructed on the east side of the tracks and right-of-way of BNSF connecting Township Road TR 199, Township Road TR 326 (Second Street) and TR 232a; whether the warning devices at the grade crossing located at the intersection of TR 326 (Second Street) and the tracks of BNSF, Milepost 98.31 should be upgraded to automatic flashing light signals and gates; the public at grade crossing at the intersection of Township Road TR 232a and the tracks of BNSF, Milepost 98.23, DOT No. 069158G should be closed; and a connecting road west of BNSF's track and right-of-way extending High Street to the north to Township Road TR 232a, with any such costs to be borne by the parties in accordance with law and that a substantial portion of any such costs be borne by the Grade Crossing Protection Fund.

ILLINOIS COMMERCE  
COMMISSION  
SEP 19 2 21 PM '01  
TRANSPORTATION DIV.

CERTIFICATE OF SERVICE

Jack Johnston, being first duly sworn, deposes and says that he served the attached Entry of Appearance and Application for Rehearing therein referred to, upon all the entities and parties of record by mailing a copy of the same to them on the 19th day of September, 2001, in an envelope plainly addressed to:

DOCKETED

Mr. James Slifer, Director  
Division of Highways  
Illinois Department of  
Transportation  
2300 South Dirksen Parkway  
Springfield, IL 62764

Mr. W. Douglas Werner  
Burlington Northern and  
Santa Fe Railway Company  
P.O. Box 961039  
Fort Worth, TX 76161-0039

Mr. Larry Edwards  
Road Commissioner  
Tamalco Township  
Rural Route 1, Box 143  
Keyesport, IL 62253

Ms. Cheryl Townlian  
Burlington Northern and Santa  
Fe Railway Company  
2650 Lou Menk Drive  
Fort Worth, TX 76131-2830

Mr. Russell Metzger  
1647 Hookdale Avenue  
Keyesport, IL 62253

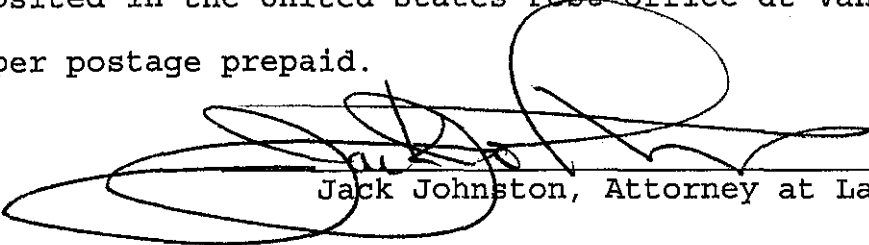
Burlington Northern and Santa  
Fe Railway Company  
CT Corporation System  
208 S. LaSalle Street  
Chicago, IL 60604

Mr. Jeff Tompkins  
Road Commissioner  
Pleasant Mound Township  
902 Bonanza Road  
Smithboro, IL 62284

Mr. Raymond Hauschild  
Bond County Highway Engineer  
Rural Route 4, Box 6A  
Greenville, IL 62246

Mr. Michael Sazdanoff  
Attorney at Law  
Kenneth J. Wysoglad  
& Associates  
118 S. Clinton St., Ste. 700  
Chicago, IL 60661

which was deposited in the United States Post Office at Vandalia,  
Illinois, proper postage prepaid.

  
Jack Johnston, Attorney at Law

Subscribed and sworn to before me this 19th day of September,  
2001.



  
Notary Public

Dale F. Choisser/Att. Reg. #3122797  
**BURNSIDE, JOHNSTON, CHOISSER & SHEAFOR**  
Attorneys at Law  
First Nat'l Bank Bldg./P.O. Box 276  
Vandalia, Illinois 62471  
Telephone: 618/283-3260  
Fax: 618/283-2851